

### **III. REMARKS**

1. Claims 7 and 9 are amended to address the noted objections. Applicant appreciates the Examiner's indication of allowable subject matter in claims 3 and 9, but believes that the claims should be allowable in their current state for the reasons set forth below.

2. Claims 1-3 and 6-10 are not unpatentable over Rautiola et al. (USP 5,949,775) ("Rautiola") and Behan et al. (USP 6,442,401) ("Behan") under 35 U.S.C. §103(a).

The claims recited by Applicant are directed to enabling the use of packet-switched services inside an office network. The combination of Rautiola and Behan will not allow the use of packet-switched services inside an office network and does not disclose or suggest adding GPRS elements to provide packet-switched gateway elements inside the network to carry out the internal packet-switched services of the office network as claimed by Applicant. Thus, the combination of Rautiola and Behan does not disclose or suggest each feature recited by Applicant in the claims and claims 1-3 and 6-10 are patentable.

In Rautiola, the mobile terminal must connect to a public mobile network in order to utilize packet-switched services. (see e.g. Col. 6, lines 45-49). In a typical system, such as that disclosed by Rautiola, the office base transceiver station is not an interface, and does not include an interface, to a GPRS system. An interface to a GPRS system requires GPRS protocol layers. A mobile system connected to an office system through a base transceiver station as described by Rautiola will not be able to utilize GPRS services because the base transceiver station does not include GPRS protocol layers and is thus, not an interface to the GPRS system. This deficiency is clearly acknowledged by the Examiner where he states that Rautiola fails to disclose a serving support node, packet control unit and gateway support node. (page 3, OA 07/02/2007).

Behan is directed to analyzing a packet radio cellular communications network, such as GPRS. (Abstract, lines 1-2) The GPRS network is "arranged as an extension of a GSM system." (Col. 2, lines 37-39). Packet control unit statistics are functionally combined with one or more support node statistics to provide a joint network statistic. (Col. 1, line 64 to Col. 2, line 2; Col. 3, lines 59-63; Claim 1) Behan discloses overlaying certain GPRS components on a GSM system to produce statistics at OMC-R 150 and OMC-G 180. (Col. 3, lines 7-50). The statistics that are produced at OMC-R and OMC-G are functionally combined to provide the joint statistic. (Col. 3, lines 59-63).

However, in Applicant's claims, Applicant recites a radio access gateway, a serving support node and a gateway support node to provide the implementation of appropriate packet-switched gateway elements inside the network and an appropriate routing for carrying out the internal packet switched services of the office network. These features are not disclosed or suggested by the combination of Rautiola and Behan. Thus, the combination of Rautiola and Behan does not teach each and every element recited by Applicant in the claims. Therefore, a *prima facie* case of obviousness under 35 U.S.C. §103(a) cannot be established and claims 1-3 and 6-10 are patentable.

Significantly, there is no motivation to combine Rautiola with Behan. In order to establish a *prima facie* case of obviousness under 35 U.S.C. §103(a), the motivation to combine references must be found in the references themselves. There must be a reason that would prompt a person of ordinary skill in the relevant field to combine the elements of the references and in formulating a rejection under 35 U.S.C. §103(a), a reason must be identified why a person of ordinary skill in the art would have combined the prior art elements "in the manner claimed". (USPTO Memorandum Dated May 3, 2007). The mere disclosure of certain GPRS components in Behan to provide a "joint network statistic" will not motivate one of skill in the art to combine Behan with Rautiola to achieve what is claimed by Applicant and does not result in the invention claimed by Applicant.

Rautiola relates to an office communication system that provides, in addition to conventional telephone services, data communication and other advanced services. (Col. 1, lines 1-9). To achieve this end, a gateway computer is used to control the connections in the direction of the cellular radio system exchange. The local area network connects the gateway computer to a group of base units serving as radio base stations. (Col. 3, lines 35-44). Behan is directed to analyzing a packet radio cellular communications network, such as GPRS. (Abstract, lines 1-2) The GPRS network is "arranged as an extension of a GSM system." (Col. 2, lines 37-39). Packet control unit statistics are functionally combined with one or more support node statistics to provide a joint network statistic. (Col. 1, line 64 to Col. 2, line 2; Col. 3, lines 59-63; Claim 1)

Neither of these references, or the combination thereof, relate to or suggest adding GPRS elements, such as a radio access gateway, serving support node and a gateway support node to provide the implementation of appropriate packet-switched gateway elements inside the network and an appropriate routing for carrying out the internal packet switched services of the office network, as claimed by Applicant. Rather, all that Behan discloses related to GPRS is overlaying certain GPRS components on a GSM system to produce statistics at OMC-R 150 and OMC-G 180. (Col. 3, lines 7-50). The statistics that are produced at OMC-R and OMC-G are functionally combined. (Col. 3, lines 59-63). This not what is claimed by Applicant and does not suggest or result in what is claimed by Applicant.

The Examiner states employing the GPRS system as an interface to an office network and a LAN connection would allow a greater degree of control and predictability of IP addressing among its mobile users and avoiding IP address conflict. (OA July 2, 2007, page 4). While this may present a possible advantage realized by what is claimed by Applicant, there is no disclosure or suggestion in either Rautiola or Behan to employ the GPRS system as "an interface to an office network" as claimed by Applicant. This statement by the Examiner can only be made with hindsight knowledge of what is

claimed by Applicant, and the application of such hindsight observations and conclusions to the rejection of the claims is impermissible.

The Examiner also states that it would be obvious to modify the teachings of Rautiola and incorporate GPRS services between the office network and the LAN interface so as to have a greater degree of control and predictability of IP addressing among mobile users and avoiding IP address conflict. It is respectfully submitted that neither the teachings of Rautiola nor Behan provide any such suggestion, and the statement can only be made with hindsight knowledge of what is described and claimed by Applicant. Rautiola is focused on an integrated communication system that provides advanced communication services for users in offices. (Col. 1, lines 4-8). There is a local area network in the office and a cellular radio network between office units. (Col. 3, lines 35-38). Behan is focused on functionally combining packet control unit statistics and support node statistics. (Col. 3, lines 59-63). There is nothing in either reference that provides any suggestion of providing an interface that would allow for the use of packet-switched services inside an office network as claimed by Applicant. While the Examiner provides some suggestions as to what might be considered possible advantages of Applicant's claimed subject matter, the Examiner has not identified how or why one of skill in the art would look at each of these references and seek to combine them to achieve what is claimed by Applicant. One might only look to Behan to try to derive a system to analyze a packet radio cellular communications network such as GPRS using statistics gather and monitored by operational units called Operational and Maintenance Centres (OMC). One would not look from Rautiola to Behan to provide the implementation of appropriate packet-switched gateway elements inside a network for carrying out internal packet-switched services of an office network, as claimed by Applicant.

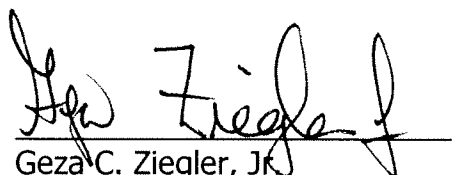
Thus, since there is no motivation or suggestion to combine Behan with Rautiola, and the proposed combination does not and cannot result in Applicant's claimed subject matter, claims 1-3 and 6-10 are not unpatentable under 35 U.S.C. §103(a).

3. Claim 6 is not unpatentable over Rautiola in view of Behan and further in view of Jiang under 35 U.S.C. §103(a) at least be reason of its dependency on claim 1.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for a one-month extension of time along with any other fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
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